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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN V. FERRIS, et al.,

Plaintiff(s),

v.

WYNN RESORTS LIMITED, et al.,

Defendant(s).

Case No. 2:18-CV-00479-APG-EJY

**STIPULATION AND ORDER
EXTENDING THE DEADLINE TO
FILE DEFENDANTS' OPPOSITION
TO PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION**

(FIRST REQUEST)

Pursuant to LR IA 6-1, Defendants Wynn Resorts Limited, Matthew O. Maddox, Kimmarie Sinatra, Stephen A. Wynn, and Stephen Cootey (collectively, “Defendants”), and Lead Plaintiffs John V. Ferris and JoAnn M. Ferris and Additional Plaintiff Jeffrey Larsen (collectively, “Plaintiffs”), by and through their respective counsel of record, jointly submit this stipulation to extend the filing deadline for Defendants’ Opposition to Plaintiffs’ Motion for Class Certification, which is currently due on September 19, 2021. This is the first stipulation for extension to file Defendants’ Opposition to Plaintiffs’ Motion for Class Certification.

WHEREAS, the Court set an initial briefing schedule for Class Certification on November 8, 2021 (ECF No. 198, hereinafter the “**November 8th Order**”), vacated the initial briefing schedule on January 25, 2022 (ECF No. 218, hereinafter the “**January 25th Order**”), and ordered a new briefing schedule for Plaintiffs’ Motion for Class Certification on June 28, 2022 (ECF No. 221, hereinafter the “**June 28th Order**”);

WHEREAS, the November 8th Order contained provisions that extended the deadlines for Defendants’ Opposition and Plaintiffs’ Reply in the event the parties or their experts were not available to sit for their depositions on mutually agreeable dates at least a certain number of days before Defendants’ Opposition and Plaintiffs’ Reply were due;

WHEREAS, the June 28 Order set a July 18th deadline for Plaintiffs’ Motion for Class Certification, a September 19th deadline for Defendants’ Opposition, and a November 21st deadline for Plaintiffs’ Reply;

WHEREAS, Plaintiffs’ expert Dr. Zachary Nye was deposed on August 26th, Additional Plaintiff Jeffrey Larsen was deposed on August 30th, Lead Plaintiff John Ferris was deposed on September 9th, and Lead Plaintiff JoAnn Ferris will not be deposed at least until September 27th;

WHEREAS, because of delays in scheduling the Ferrises’ depositions, Defendants have asked for additional time to file their Opposition and believe the November 8th Order’s mutual automatic extension provisions are still applicable to the current Class Certification briefing schedule;

1 **WHEREAS**, Plaintiffs believe the November 8th Order is irrelevant because the January 25th
2 Order vacated November 8th Order's briefing schedule, and the June 28th Order is the operative
3 schedule;

4 **WHEREAS**, Plaintiffs consent to Defendants' request for an extension solely to the extent
5 Defendants require the additional time to file their brief and expert report, and not to the extent
6 Defendants use the additional time to seek any additional extensions through discovery motions or
7 otherwise;

8 **THEREFORE**, the Parties now hereby jointly stipulate and agree, and respectfully request that
9 the Court order, as follows:

- 10 1. The deadline for Defendants' Opposition to Plaintiffs' Motion for Class Certification is
11 extended from September 19, 2022 to October 18, 2022;
- 12 2. The deadline for Plaintiffs' Reply in Further Support of their Motion for Class Certification
13 is extended to December 20, 2022;
- 14 3. This Stipulation is filed in good faith and not intended to cause delay;
- 15 4. Nothing in this Stipulation is intended in any way to waive or affect any rights, claims,
16 defenses, objections or arguments that any party may have with respect to any matter, other
17 than those expressly addressed and agreed herein.

18 **IT IS SO ORDERED.**

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20 _____
21 UNITED STATES DISTRICT JUDGE

22 DATED: September 13, 2022

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DATED: September 12, 2022

/s/Mark Holscher

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